



Cafaro, Cindy <cindy\_cafaro@ios.doi.gov>

## Litigation protocol

Cafaro, Cindy <cindy\_cafaro@ios.doi.gov>  
Draft

Thu, Apr 5, 2018 at 2:55 PM

Hi, everyone. If you are involved in supporting SOL in FOIA litigation matters, below are protocols to be followed.

First, you should never be communicating with opposing counsel on a FOIA litigation matter. If you are contacted by opposing counsel, direct them to your SOL contact immediately.

Second, as for DOJ attorneys, please follow the direction of your SOL contact. *Unless other arrangements are made with your SOL contact, please follow the procedures below:*

1. If you are contacted by a DOJ attorney, direct them to your SOL contact immediately.
2. Do not include DOJ attorneys on your communications about litigation.
3. If SOL provides you with litigation deadlines, those deadlines should be shared as necessary with appropriate DOI personnel. We suggest using the following language as part of your outgoing message (and cc'ing your SOL contact):

[Attorney X] has informed us that, due to litigation deadlines, your awareness review must be completed by close of business on [date Y]. If you have any questions about this awareness review, including questions about the timeline, please contact [Attorney X] at [phone number] or [email address]. Thank you.

4. If additional review time is needed for any purpose, direct your DOI contact to speak to SOL to ensure deadlines are met and that no staff is overburdened. You should not be leading these discussions, but you should abide by the instructions you are given by SOL.

Thank you.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181



Mcquighan, Ryan &lt;ryan\_mcquighan@ios.doi.gov&gt;

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## awareness reviews

1 message

**Julka, Clarice** <clarice\_julka@ios.doi.gov>

Tue, Apr 24, 2018 at 1:53 PM

To: Ryan Mcquighan &lt;ryan\_mcquighan@ios.doi.gov&gt;, Jason Hadnot &lt;jason\_hadnot@ios.doi.gov&gt;, Justin Wilkinson &lt;justin\_wilkinson@ios.doi.gov&gt;, Leah Fairman &lt;leah\_fairman@ios.doi.gov&gt;, Nicholas Banco &lt;nbanco@ios.doi.gov&gt;, Connie Rose &lt;connie\_rose@fws.gov&gt;

All,

I have been advised that the Dep Sec would like 5 days awareness notice rather than the 72 hours stated in the "litigation protocol" policy which Juli and Cindy Cafaro provided to us a few weeks ago.

Clarice Julka  
Department of the Interior  
Office of the Secretary, FOIA Office  
**1849 C Street, NW, MS-7328**  
Washington, D.C. 20240  
[Clarice\\_Julka@ios.doi.gov](mailto:Clarice_Julka@ios.doi.gov)  
(202) 513-0765 - phone  
(202) 208-6045 - direct line  
(202) 219-2374 - fax